

**DILLON YUDELL LLP**  
ATTORNEYS AT LAW

RECEIVED  
CENTRAL FAX CENTER  
NOV 20 2007

## USPTO FACSIMILE TRANSMITTAL SHEET

TO:		FROM:	
Examiner Laurie A. Ries		Eustace P. Isidore, Reg. No. 56,104	
ORGANIZATION: US Patent and Trademark Office		DATE: November 19, 2007	
ART UNIT: 2176	CONFIRMATION NO.: 8211	TOTAL NO. OF PAGES INCLUDING COVER:	
FAX NUMBER: 571-273-8300		APPLICATION SERIAL NO.: 10/759,930	
ENCLOSED: Appeal Brief		ATTORNEY DOCKET NO.: AUS920030586US1	

☐ URGENT   ☐ FOR REVIEW   ☐ PLEASE COMMENT   ☐ PLEASE REPLY   ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Certificate of Transmission/Mailing

*I hereby certify that this correspondence is being facsimile transmitted to the USPTO at 571-273-8300 on November 19, 2007.*

Typed or Printed Name: Eustace P. Isidore November 19, 2007 Signature: 

This fax from the law firm of Dillon & Yudell LLP contains information that is confidential or privileged, or both. This information is intended only for the use of the individual or entity named on this fax cover letter. Any disclosure, copying, distribution or use of this information by any person other than the intended recipient is prohibited. If you have received this fax in error, please notify us by telephone immediately at 512.343.6116 so that we can arrange for the retrieval of the transmitted documents at no cost to you.

8911 N. CAPITAL OF TEXAS HWY., SUITE 2110, AUSTIN, TEXAS 78759  
512.343.6116 (V) • 512.343.6446 (F) • DILLONYUDELL.COM

PAGE 2/20 \* RCVD AT 11/20/2007 12:19:15 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-3/0 \* DNIS:2738300 \* CSID:512 535 6381 \* DURATION (mm-ss):07-34

**REAL PARTY IN INTEREST**

The real party in interest in the present Application is International Business Machines Corporation, the Assignee of the present application as evidenced by the Assignment set forth at reel 014911, frame 0888.

**RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences known to Appellants, the Appellants' legal representative, or assignee, which directly affect or would be directly affected by or have a bearing on the Board's decision in the pending appeal.

**STATUS OF CLAIMS**

Claims 1-11 and 13-35 stand finally rejected by the Examiner as noted in the Final Office Action dated June 18, 2007. The rejection of Claims 1-11 and 13-35 is appealed.

**STATUS OF AMENDMENTS**

Appellants' Amendment B, filed on April 10, 2007, was entered by the Examiner, as noted in the Final Office Action dated June 18, 2007. No amendments were made subsequent to the Final Office Action.

**SUMMARY OF THE CLAIMED SUBJECT MATTER**

As recited by Appellants' exemplary Claims 1 and 21, Appellants' invention provides a method (and a computer program product) within a data processing system 100 having a processor 103 and a memory 105 with code (107-110) residing therein and executed by the processor 103. The method automatically provides bibliographical information 512B associated with copied content 512A. The method comprises the following: (1) associating bibliographical information (512B) with content (512A) on an electronic page 501 (paragraphs 0006, 0027 - 0030); (2) responsive to a copy function (step 603, FIG. 6) performed on the content (512A), creating a copy (step 605) of the content and dynamically including the bibliographical information (step 607) within the copy of the content, wherein the copy is created with its associated bibliographical information (512B) linked thereto (see FIG. 5, paragraphs 0034 - 0036); (3) associating a deletion of the bibliographical information (512B) to a concurrent

AUS920030586US1

-2-

deletion of the copy of the content, wherein the deletion of the bibliographical information (512B) triggers a concurrent deletion of the copy of the content (see paragraph 0037, pages 12-13); and (4) responsive to an output of the copy of the content to an output device, automatically outputting the bibliographical information (512B) along with the copy of said content (see paragraph 0036).

As provided by Claims 2 and 22, Appellants invention further provides for concurrently deleting the copy of the content in response to detection of a deletion of the bibliographical information (see paragraphs 0009 and 0037). Appellants' claimed invention (specifically Claims 6 and 26) further provides for enabling the user to delete portions of the bibliographical information, and when a specified portion of the bibliographical information is designed for non-deletion, disabling a delete option for that specified portion (see paragraphs 0009 and 0037).

Finally, in addition to the features recited by example Claims 1 and 21, example Claims 11 and 31 respectively provide a system and method that involves providing the bibliographical functionality at a web site (206). Specifically, the system includes: a web browser (108/400) having displayed thereon a web page (400) that includes content 310/512A that may be copied by a user, wherein the web browser (108) further provides user selection mechanisms (403, 404) for selecting and copying the content (310); a content editor having a display area within which content (310) may be inserted, the editor further including user selection mechanisms (403) for pasting content that was selected and copied; bibliographical information tracking mechanisms (420) associated with both the web browser (108) and the editor (400) that retrieves background bibliographical information of the content 310 whenever the content 310 is copied and automatically provides the bibliographical information (512B) for insertion into a bibliographical section (405) within the editor. Similarly to example Claims 1 and 21, example Claims 11 and 31 also provide "associating a deletion of the bibliographical information to a concurrent deletion of the copy of the content, wherein the deletion of the bibliographical information triggers a concurrent deletion of the copy of the content" (see FIG. 3B, paragraphs 0027 – 0029, and FIG. 4, paragraphs 0032, 0034).

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

- A. The Examiner's rejection of Claims 1-10 and 21-30 under 35 U.S.C. §103(a) as being unpatentable over *Jones* (U.S. Patent No. 6,493,731) (hereinafter *Jones*) in view of *Microsoft Word* and *EndNote* is to be reviewed on Appeal.
- B. The Examiner's rejection of Claims 11, 13-20 and 31-35 under 35 U.S.C. §103(a) as being unpatentable over *Jones* in view of *Microsoft Word*, *EndNote* and *Burner* (U.S. Patent No. 6,282,548) (hereinafter *Burner*) is to be reviewed on Appeal.

**ARGUMENT**

- A. The rejection of Claims 1-10 and 21-30 under 35 U.S.C. §103(a) as being unpatentable over *Jones* in view of *Microsoft Word* and *EndNote* is not well founded and should be reversed.

**Claims 1 - 2 and 21 - 22**

With respect to the present example claims, the above combination of references does not render Appellants' claimed invention unpatentable because the combination does not suggest the subject matter recited by the present claims. Specifically, the combination fails to suggest to one skilled in the art the subject matter related to the following elements/features recited by Appellants' claims:

- (1) *associating a deletion of the bibliographical information to a concurrent deletion of the copy of the content, wherein the deletion of the bibliographical information triggers a concurrent deletion of the copy of the content.*  
(Claims 1 and 21); or
- (2) *concurrently deleting the copy of the content in response to detection of a deletion of the bibliographical information.*  
(Claims 2 and 22).

The above claim features clearly provide that the content is linked to the bibliographical information and that the copy of the content is concurrently deleted if/whenever the bibliographical information is deleted. That is, the copy of the content cannot (or will not) remain within the document without the associated bibliographical information. As

provided/described within Appellants' specification (at paragraphs 0037, page 13), with the "automatic deletion" feature, "the copier is not able to keep the copy of the content without the bibliographical data attached, and deleting the latter information leads to an automatic deletion of the content." The copier thus "has to invest the time and effort to type in or recreate the content."

Examiner specifically acknowledges on page 4, second paragraph, of the Final Office Action that *Jones* does not teach the above recited features of Appellants' claims related to concurrent deletion of the content with deletion of the bibliographical information. *Jones* provides a "document management system ... for recording and viewing metadata of a document." (Abstract). The cited section of *Jones* (Figure 4, col. 3, lines 5-12) describes metadata of a document to identify relationships between the resources specified in the metadata and the content of the document. Further, "[t]he resources identified in the metadata of the document provide context for understanding the document's history ... metadata ... provides a history tracking mechanism for the document."

As further noted by Examiner, *Microsoft Word* does not teach or suggest the above features of Appellants' claims related to concurrent deletion of the content with deletion of the bibliographical information. *Microsoft Word* provides a basic illustration of a footnote feature, which shows source information for text that is copied into a document. *Microsoft Word* is only provided to support the rejection of the feature related to copying a footnote along with the content and subsequently pasting the footnote when the content is pasted.

Examiner relies on *EndNote* to support the rejection of the above recited features of Applicants' example claims. *EndNote*, and specifically the section of *EndNote* relied upon by Examiner to support the rejection, generally provides a description of deleting in-text figure, which is a listing of the figures within the document. *EndNote* is devoid of any reference to teaching or suggestion of concurrently deleting content when the bibliographical information of that content is deleted. Specifically, as related to the *EndNote*'s description of deleting in-text figures (or listing of figures), *EndNote* fails to teach or suggest concurrently deleting a figure identified by the figure list when the list is itself deleted.

A careful reading of *EndNote* reveals that every reference to "deletion" of citations or figure lists fails to link/associate that deletion with a concurrent deletion of the content or figure that is associated with the citation/list. In fact, from an implementation standpoint, both *EndNote* and *Microsoft Word* allows for deletion of source/bibliographical information without affecting the content AND both require the user to manually delete the superscript that indicates the presence of bibliographical information related to the content. The implementation method provides further support to negate any suggestion that deleting the bibliographical information within either reference (*EndNote* and *Microsoft Word*) would provide a concurrent deletion of the corresponding content. Thus, Examiner has clearly mischaracterized the features provided by *EndNote* and/or has misunderstood the concurrent deletion feature recited by Appellants' example claims.

From the above, it is clear that the references fail to individually provide support for the rejection of the concurrent deletion feature recited by Appellants' example claims. The combination of the above three references also fail to teach or suggest the above features of Appellants' example claims. One skilled in the art at the time of Appellants' invention would not have found Appellants' claims to be suggested by or obvious in light of the combination.

Therefore, the rejection of Appellants' example claims 1, 2, 21, and 22 is not well founded and should be reversed. Additionally, by nature of their dependence on independent Claims 1 and 21, which Appellants have shown to be allowable over the combination of references, Appellants' Claims 3 -10 and 23-30 are also allowable.

#### **Claims 6 and 26**

On page 7 of the Final Office Action, Examiner relies specifically on *Jones* to support the rejection of the features of Appellants' claims, which include: "when a specified portion of said bibliographical information is designed for non-deletion, disabling a delete option for that specified portion." However, *Jones* and the combination of *Jones* with the other references fail to suggest this specific feature of Appellants' claims.

The specific section of *Jones* (namely col. 10, lines 29 – 39) provided to reject the present claim features provides: “[r]esources that are added ... can be deleted by the user .. using a button. Also, a user can specify the option of being prompted to define relationships ... When this option is selected a process operating in the process management system intermittently prompts the user of the workflow manager to specify the relationship fields of a document resource...” Clearly, nothing within this section of *Jones* (or within *Jones* as a whole) suggests the above feature of Appellants’ Claims 6 and 26. The rejection of Claims 6 and 26 is therefore not well founded and should be reversed.

**B. The rejection of Claims 11, 13-20 and 31-35 under 35 U.S.C. §103(a) as being unpatentable over *Jones* in view of *Microsoft Word*, *EndNote* and *Burner* is not well founded and should be reversed.**

**Claims 11 and 31**

With respect to the present example Claims 11 and 31, the above combination of references does not render Appellants’ claimed invention unpatentable because the combination does not suggest the subject matter recited by the present claims. Specifically, the combination fails to suggest to one skilled in the art the subject matter related to the following elements/features recited by Applicant’s claims:

*associating a deletion of the bibliographical information to a concurrent deletion of the copy of the content, wherein the deletion of the bibliographical information triggers a concurrent deletion of the copy of the content.*

Appellants incorporate within the present arguments those argument provided above with respect to exemplary Claims 1 and 21. The present example Claims 11 and 31 recite a similar set of claim features to Claims 1 and 21, which features are rejected by the same references. Appellants have shown by the above arguments that the references fail to teach or suggest the above claim feature recited by Appellants’ exemplary Claims 11 and 31.

*Burner* also fails to teach or suggest associating a deletion of bibliographical information to a concurrent deletion of the copy of the content. *Burner* provides a “method ... that displays metadata about a web page concurrently being displayed by a browser” (Abstract). *Burner* is



provided to reject the additional claim features recited by the present claims, specifically those features related to a web browser and a web page.

Thus, given the failure of the references or combination thereof to suggest the above recited feature of the present claims, the present claim rejection is also not well founded and should be reversed. Also, by nature of their dependence on Claims 11 and 31, which Appellants have shown to be allowable over the combination of references, Appellants' Claims 13 - 20 and 32 - 35 are also allowable.

AUS920030586US1

-8-

**CONCLUSION**

Appellants have pointed out with specificity the manifest error in the Examiner's rejections, and the claim language which renders the invention patentable over the various combinations of references. Appellants, therefore, respectfully request that this case be remanded to the Examiner with instructions to issue a Notice of Allowance for all pending claims.

Respectfully submitted,



Eustace P. Isidore

Reg. No. 56,104

DILLON & YUDELL LLP

8911 N. Capital of Texas Highway  
Suite 2110

Austin, Texas 78759

512-343-6116

ATTORNEY FOR APPELLANTS

**APPENDIX**

1. In a data processing system having a processor and a memory with code residing therein and executed by the processor to implement a method for automatically providing bibliographical information associated with copied content, said method comprising:

associating bibliographical information with content on an electronic page;

responsive to a copy function performed on said content, creating a copy of said content and dynamically including the bibliographical information within the copy of said content, wherein said copy is created with its associated the bibliographical information linked thereto;

associating a deletion of the bibliographical information to a concurrent deletion of the copy of the content, wherein the deletion of the bibliographical information triggers a concurrent deletion of the copy of the content; and

responsive to an output of the copy of the content to an output device, automatically outputting the bibliographical information along with the copy of said content.

2. The method of Claim 1, further comprising:

responsive to a later paste function performed on said copy of said content:

pasting said content within a document, and

concurrently with said pasting, inserting said bibliographical information into a bibliographical section within said document;

responsive to a later storage of said document having said copy of said content, saving said document along with said bibliographical information, wherein said copy of the content is stored with also contains the bibliographical information linked thereto;

concurrently deleting the copy of the content in response to detection of a deletion of the bibliographical information.

3. The method of Claim 2, further comprising:

requesting user selection of whether said bibliographical information should be inserted within the bibliographical section; and

in response to requesting receiving a user selection to insert said information, updating a bibliographical section with said information, wherein when said user does not select insertion of

said bibliographical information, said bibliographical section is not updated with said bibliographical information.

4. The method of Claim 3, wherein said updating further comprises:  
tagging the bibliographical information with an identifier;  
displaying said identifier with said content, wherein the link between the bibliographical information and the content is indicated and selectable; and  
in response to the identifier being selected by a user, displaying the bibliographical information associated with the content.
5. The method of Claim 2, further comprising:  
requesting user selection whether said bibliographical information is to be edited before insertion within the bibliographical section.
6. The method of Claim 5, further comprising:  
enabling the user to delete portions of said bibliographical information; and  
when a specified portion of said bibliographical information is designed for non-deletion, disabling a delete option for that specified portion.
7. The method of Claim 6, further comprising automatically deleting said content from said document when the specified portion of the bibliographical information is deleted.
8. The method of Claim 1, wherein said associating step includes:  
generating the content utilizing meta data; and  
associating the bibliographical information as meta tags within said meta data.
9. The method of Claim 1, said bibliographical information including one or more data from among name of author, source of content, publishing company, publication date, hot link to original article/document, and page and line numbering information.

10. The method of Claim 1, wherein said associating step comprises:  
generating the content utilizing meta data; and  
respectively associating a beginning and an ending comment before and after said content;

wherein said beginning comment introduces and provides the bibliographical information for the content sequentially following in the source code and the ending comment terminates the section of overall content to which said bibliographical information belongs.

11. A system comprising:

a processor;

a memory coupled to the processor and including thereon program code for implementing:

a web browser having displayed thereon a web page that includes content that may be copied by a user, wherein said web browser further provides user selection mechanisms for selecting and copying said content;

a content editor having a display area within which content may be inserted, said editor further including user selection mechanisms for pasting content that was selected and copied;

bibliographical information tracking mechanisms associated with both said web browser and said editor that retrieves background bibliographical information of said content whenever said content is copied and automatically provides said bibliographical information for insertion into a bibliographical section within said editor;

wherein said program code executes on the processor and provides the functions of:

automatically providing bibliographical information associated with copied content;

associating said bibliographical information with said copied content on an electronic page; and

responsive to a copy function performed on said content, creating a copy of said content and dynamically including the bibliographic information within a

copy of said content, wherein said copy is created with its associated bibliographical data linked thereto;

associating a deletion of the bibliographical information to a concurrent deletion of the copy of the content, wherein the deletion of the bibliographical information triggers a concurrent deletion of the copy of the content; and

responsive to an output of the copy of the content to an output device, automatically outputting the bibliographical information along with the copy of said content.

12. (canceled)

13. The system of Claim 11, further comprising:

means, responsive to a later paste function performed on said copy of said content, for pasting said content within a document;

means for inserting, concurrently with said pasting, said bibliographical information into a bibliographical section within said document;

means, responsive to a later storage of said document having said copy of said content, for saving said document along with said bibliographical information, wherein said copy of the content also contains the bibliographical information; and

means for concurrently deleting the copy of the content in response to detection of a deletion of the bibliographical information.

14. The system of Claim 11, further comprising:

means for requesting user selection of whether said bibliographical information should be inserted within the bibliographical section; and

means, in response to requesting receiving a user selection to insert said information, for updating a bibliographical section with said information, wherein when said user does not select insertion of said bibliographical information, said bibliographical section is not updated with said bibliographical information.

15. The system of Claim 14, wherein said means for updating further comprises:  
means for tagging the bibliographical information with an identifier;  
means for displaying said identifier with said content, wherein the link between the bibliographical information and the content is indicated and is selectable; and  
means for displaying the bibliographical information associated with the content when the identifier is selected by a user.
16. The system of Claim 13, further comprising:  
means for requesting user selection whether said bibliographical information is to be edited before insertion within the bibliographical section.
17. The system of Claim 14, further comprising:  
means for enabling the user to delete portions of said bibliographical information;  
means, when a specified portion of said bibliographical information is designed for non-deletion, for disabling a delete option for that specified portion; and  
means for automatically deleting said content from said document when the specified portion of the bibliographical information is deleted.
18. The system of Claim 11, wherein said means for associating includes:  
means for generating the content utilizing meta data; and  
means for associating the bibliographical information as meta tags within said meta data.
19. The system of Claim 11, said bibliographical information including one or more data from among name of author, source of content, publishing company, publication date, hot link to original article/document, and page and line numbering information.
20. The system of Claim 18, wherein said means for associating comprises:  
means for generating the content utilizing meta data; and  
means for respectively associating a beginning and an ending comment before and after said content;

wherein said beginning comment introduces and provides the bibliographical information for the content sequentially following in the source code and the ending comment terminates the section of overall content to which said bibliographical information belongs.

21. A computer program product comprising:

a computer readable medium; and

program code on said computer readable medium that when executed by a processor automatically provides bibliographical data associated with copied content, said code including code for providing the functions of:

associating bibliographical data with content on an electronic page;

responsive to a copy function performed on said content, creating a copy of said content and dynamically including the bibliographic data within a copy of said content, wherein said copy is created with its associated the bibliographical data linked thereto;

associating a deletion of the bibliographical data to a concurrent deletion of the copy of the content, wherein the deletion of the bibliographical data triggers a concurrent deletion of the copy of the content; and

responsive to an output of the copy of the content to an output device, automatically outputting the bibliographical data along with the copy of said content.

22. The computer program product of Claim 21, said program code further comprising:

program code, responsive to a later paste function performed on said copy of said content, for pasting said content within a document;

program code for inserting said bibliographical data into a bibliographical section within said document;

program code, responsive to a later storage of said document having said copy of said content, for saving said document along with said bibliographical data, wherein said copy of the content also contains the bibliographical data; and

program code for concurrently deleting the copy of the content in response to detection of a deletion of the bibliographical information.



23. The computer program product of Claim 22, further comprising program code for:  
requesting user selection of whether said bibliographical data should be inserted within the bibliographical section; and  
in response to requesting receiving a user selection to insert said information, updating a bibliographical section with said information, wherein when said user does not select insertion of said bibliographical data, said bibliographical section is not updated with said bibliographical data.
24. The computer program product of Claim 23, wherein said code for updating further comprises program code for:  
tagging the bibliographical data with an identifier;  
displaying said identifier with said content, wherein the link between the bibliographical data and the content is indicated and is selectable; and  
in response to the identifier being selected by a user, displaying the bibliographical data associated with the content.
25. The computer program product of Claim 22, further comprising program code for:  
requesting user selection whether said bibliographical data is to be edited before insertion within the bibliographical section.
26. The computer program product of Claim 25, further comprising program code for:  
enabling the user to delete portions of said bibliographical data; and  
when a specified portion of said bibliographical data is designed for non-deletion, disabling a delete option for that specified portion.
27. The computer program product of Claim 26, further comprising program code for automatically deleting said content from said document when the pre-specified portion of the bibliographical data is deleted.
28. The computer program product of Claim 21, wherein said associating code includes program code for:

generating the content utilizing meta data; and  
associating the bibliographical information as meta tags within said meta data.

29. The computer program product of Claim 21, said bibliographical information including one or more data from among name of author, source of content, publishing company, publication date, hot link to original article/document, and page and line numbering information.

30. The computer program product of Claim 21, wherein said associating code comprises program code for:

generating the content utilizing meta data; and

respectively associating a beginning and an ending comment before and after said content;

wherein said beginning comment introduces and provides the bibliographical information for the content sequentially following in the source code and the ending comment terminates the section of overall content to which said bibliographical information belongs.

31. In a data processing system having a processor and program code residing in a memory and executing on the processor, a method for protecting online content, the method comprising:

placing the content within a source file of a web page;

associating a bibliographic identifier with said content, wherein said bibliographic identifier is linked to said content such that a copying of said content when said web page is published copies said bibliographic identifier along with said content;

associating a deletion of the bibliographical identifier to a concurrent deletion of the content, wherein the deletion of the bibliographical identifier triggers a concurrent deletion of the content; and

responsive to an output of the content to an output device, automatically outputting the bibliographical information along with the content.

32. The method of Claim 31, wherein said bibliographic identifier is a pair of comments comprising a first comment having the bibliographical identifier and a second comment indicating an end of the content to which said bibliographical identifier applies.

33. The method of Claim 31, wherein said bibliographic identifier includes meta tags linked to bibliographical data, said method further comprising preventing a deletion of the bibliographical identifier without first deleting the content.

34. The method of Claim 31, further comprising selecting at least one level of deletion capability for said bibliographic identifier, wherein a first level allows a copier copying entity to separate and delete bibliographical data from said content and a second level prevents removal of said bibliographical data by said copier copying entity.

35. The method of Claim 31, further comprising enabling a copy tracking mechanism within said bibliographic identifier, wherein an internet identification (ID) of a copier of copying entity that copies said content is recorded at a computer on which said web page is hosted.

**EVIDENCE APPENDIX**

Other than the Office Action(s) and reply(ies) already of record, no additional evidence has been entered by Appellants or the Examiner in the above-identified application which is relevant to this appeal.

**RELATED PROCEEDINGS APPENDIX**

There are no related proceedings as described by 37 C.F.R. §41.37(c)(1)(x) known to Appellants, Appellants' legal representative, or assignee.